

28.03.2023
ct 28/tkm
sl no.69

C.R.M. (DB) 1174 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chinsurah P.S case no. 22 of 2022 dated 16.1.2022 under sections 397/395/412 IPC

And

In Re : Ankan Mitra @ Rana

..... petitioner

Mr. U S Chattopadhyay

Mr. S S Chatterjee

Mr. D Sardar

Mr. R Tah

Ms. T Rakshit

..... for the petitioner

Ms. N Ahmed

Md. Oqbal Kabir

..... for the State

Petitioner is in custody for 139 days. It is submitted de facto complainant has not implicated the petitioner in the crime. He renews his bail prayer.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Petitioner was a tenant of the de facto complainant. As per de facto complainant's deposition immediately after the dacoity he intervened and reported the matter to police. But statements of a goldsmith shows petitioner along with co-accuseds had gone to the said goldsmith for conversion of stolen articles. Trial is in progress. The said goldsmith has not been examined as yet.

Under such circumstances, we do not consider it prudent to reconsider the bail prayer of the petitioner and enlarge him on bail.

Hence, application for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)